

**VOLUNTARY VETERAN'S EMPLOYMENT PREFERENCE FOR  
PRIVATE EMPLOYERS**

**CHAPTER 816**

H.B. No. 3547

**AN ACT**

**relating to a voluntary veteran's employment preference for private employers.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle A, Title 2, Labor Code, is amended by adding Chapter 23 to read as follows:

**CHAPTER 23. VOLUNTARY VETERAN'S EMPLOYMENT PREFERENCE  
FOR PRIVATE EMPLOYERS**

Sec. 23.001. **DEFINITION.** *In this chapter, "veteran" means an individual who:*

- (1) has served on active duty in the armed forces of the United States; and*
- (2) was honorably discharged from military service.*

Sec. 23.002. **VOLUNTARY PREFERENCE POLICY.** *(a) A private employer may adopt a policy under which the employer may give a preference in employment decisions regarding hiring, promotion, or retention to a veteran over another qualified applicant or employee.*

*(b) A policy adopted under this section must be in writing.*

Sec. 23.003. **APPLICATION OF POLICY.** *(a) A private employer shall apply any policy adopted under this chapter reasonably and in good faith in employment decisions regarding hiring, promotion, or retention during a reduction in the employer's workforce.*

*(b) A private employer may require appropriate documentation from a veteran for the veteran to be eligible for the preference under a policy adopted under this chapter.*

*(c) Granting a preference in accordance with a policy adopted under this chapter does not violate Chapter 21.*

SECTION 2. The change in law made by this Act applies only to an employment decision made on or after the effective date of this Act. An employment decision made before the effective date of this Act is governed by the law in effect on the date the decision was made, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

Passed by the House on May 8, 2015: Yeas 130, Nays 12, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

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**RESTRICTIONS ON THE USE, TRANSFER, AND SALE OF  
HOUSING DEVELOPMENTS THAT HAVE RECEIVED  
CERTAIN FINANCIAL ASSISTANCE ADMINISTERED BY THE  
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY  
AFFAIRS**

**CHAPTER 817**

H.B. No. 3576

**AN ACT**

**relating to restrictions on the use, transfer, and sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 2306.185, Government Code, is amended by adding Subsection (d-1) and amending Subsection (e) to read as follows:

(d-1) *The department shall adopt rules that provide for the amendment of a land use restriction agreement. Rules adopted under this subsection must require reasonable notice to tenants, a public hearing, and board approval for any material amendment to a land use restriction agreement.*

(e) Subsections (c), ~~and~~ (d), and (d-1) and Section 2306.269 apply only to multifamily rental housing developments to which the department is providing one or more of the following forms of assistance:

(1) a loan or grant in an amount greater than 33 percent of the market value of the development on the date the recipient completed the construction of the development;

(2) a loan guarantee for a loan in an amount greater than 33 percent of the market value of the development on the date the recipient took legal title to the development; or

(3) a low income housing tax credit.

SECTION 2. Section 2306.6713, Government Code, is amended by adding Subsection (g) to read as follows:

(g) *The transfer of ownership of a development supported with an allocation of housing tax credits under this section does not subject the development to a right of first refusal under Section 2306.6726 if the transfer is made to a newly formed entity:*

(1) *that is under common control with the development owner; and*

(2) *the primary purpose of the formation of which is to facilitate the financing of the rehabilitation of the development using assistance administered through a state financing program.*

SECTION 3. Section 2306.6720, Government Code, is amended to read as follows:

Sec. 2306.6720. **ENFORCEABILITY OF APPLICANT REPRESENTATIONS.** Each material representation made by an applicant to secure a housing tax credit allocation is enforceable by the department and the tenants of the development supported with the allocation. *Subject to modification and enforcement as provided by this chapter, a land use restriction agreement that is recorded with respect to a development is considered to state the development owner's ongoing obligations with regard to the matters addressed in the agreement.*

SECTION 4. Section 2306.6725(b), Government Code, is amended to read as follows:

(b) The department shall provide appropriate incentives as determined through the qualified allocation plan to reward applicants who agree to:

(1) equip the development ~~[property]~~ that is the basis of the application with energy saving devices that meet the standards established by the state energy conservation office or ~~to~~ provide to a qualified entity, in a land use restriction agreement in accordance with Section 2306.6726, ~~[nonprofit organization or tenant organization]~~ a right of first refusal to purchase the development ~~[property]~~ at the minimum price provided in, and in accordance with the requirements of, Section 42(i)(7), Internal Revenue Code of 1986 (26 U.S.C. Section 42(i)(7)); and

(2) locate the development in a census tract in which there are no other existing developments supported by housing tax credits.

SECTION 5. Section 2306.6726, Government Code, is amended to read as follows:

Sec. 2306.6726. **SALE OF CERTAIN LOW INCOME HOUSING TAX CREDIT DEVELOPMENTS ~~[PROPERTY]~~.** (a) ~~An owner of a development subject to [Not later than two years before the expiration of the compliance period, a recipient of a low income~~

~~housing tax credit who agreed to provide~~ a right of first refusal under Section 2306.6725 ~~[and] who intends to sell the development at any time after the expiration of the compliance period [property]~~ shall notify the department ~~and the tenants of the development of the owner's [recipient's] intent to sell and, if applicable, shall specifically identify to the department any qualified entity that is the owner's intended recipient of the right of first refusal in the land use restriction agreement.~~

(a-1) As soon as practicable after receiving notice under Subsection (a), the department ~~[The recipient]~~ shall:

(1) provide to any qualified entity specifically identified under Subsection (a) notice regarding the owner's intent to sell the development; and

(2) post on the department's Internet website the notice described by Subdivision (1) ~~[notify qualified nonprofit organizations and tenant organizations of the opportunity to purchase the property].~~

(b) The owner of a development subject to a right of first refusal under Section 2306.6725 ~~[recipient]~~ may:

(1) during the first 60-day ~~[six-month]~~ period after notice is provided under Subsection (a-1) ~~[notifying the department]~~, negotiate or enter into a purchase agreement only with a qualified entity ~~[nonprofit organization]~~ that is:

(A) ~~[also]~~ a community housing development organization as defined by the federal HOME ~~[home]~~ investment partnership program; or

(B) controlled by an entity described by Paragraph (A);

(2) during the second 60-day ~~[six-month]~~ period after notice is provided under Subsection (a-1) ~~[notifying the department]~~, negotiate or enter into a purchase agreement with a ~~[any]~~ qualified entity that:

(A) is described by Section 2306.6706;

(B) is controlled by an entity described by Paragraph (A) ~~[nonprofit organization or tenant organization]~~; or

(C) is a tenant organization; and

(3) during the last 60-day period after notice is provided under Subsection (a-1) ~~[year before the expiration of the compliance period]~~, negotiate or enter into a purchase agreement with ~~[the department or]~~ any other qualified entity ~~[nonprofit organization or tenant organization approved by the department]~~.

(c) Beginning on the 181st day after the date the department posts notice under Subsection (a-1), an owner of a development subject to a right of first refusal ~~[Notwithstanding an agreement]~~ under Section 2306.6725 ~~[a recipient of a low income housing tax credit]~~ may sell to any purchaser a development ~~[property]~~ to which the right of first refusal ~~[tax credit]~~ applies ~~[to any purchaser after the expiration of the compliance period]~~ if a qualified entity ~~[nonprofit organization or tenant organization]~~ does not offer to purchase the development for a price that the department determines to be reasonable ~~[property at the minimum price provided by Section 42(i)(7), Internal Revenue Code of 1986 (26 U.S.C. Section 42(i)(7)), and the department declines to purchase the property]~~.

(c-1) This section applies only to a right of first refusal memorialized in a land use restriction agreement. This section does not authorize a modification of any other agreement between an owner of a development and a qualified entity.

(c-2) The department shall adopt rules and procedures to give effect to the right of first refusal granted by any land use restriction agreement.

(d) In this section:

(1) ~~[5]~~ "Compliance ~~[compliance]~~ period" has the meaning assigned by Section 42(i)(1), Internal Revenue Code of 1986 (26 U.S.C. Section 42(i)(1)).

(2) "Qualified entity" means an entity described by, or an entity controlled by an entity described by, Section 42(i)(7)(A), Internal Revenue Code of 1986 (26 U.S.C. Section 42(i)(7)(A)).

SECTION 6. Sections 2306.6713, 2306.6725, and 2306.6726, Government Code, as amended by this Act, apply to the transfer or sale of a development supported with an allocation of low income housing tax credits issued before, on, or after the effective date of this Act.

SECTION 7. This Act takes effect September 1, 2015.

Passed by the House on May 8, 2015: Yeas 118, Nays 24, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 3576 on May 28, 2015: Yeas 120, Nays 23, 2 present, not voting; passed by the Senate, with amendments, on May 26, 2015: Yeas 26, Nays 5.

Approved June 17, 2015.

Effective September 1, 2015.

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**ELECTRONIC FILING OF PERSONAL FINANCIAL  
STATEMENTS WITH THE TEXAS ETHICS COMMISSION**

**CHAPTER 818**

H.B. No. 3683

**AN ACT**

**relating to the electronic filing of personal financial statements with the Texas Ethics Commission.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter B, Chapter 572, Government Code, is amended by adding Section 572.0291 to read as follows:

*Sec. 572.0291. ELECTRONIC FILING REQUIRED. A financial statement filed with the commission must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.*

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on May 8, 2015: Yeas 134, Nays 0, 2 present, not voting; passed by the Senate on May 27, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

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**EMPLOYMENT STATUS OF CERTAIN INDIVIDUALS  
ENGAGED IN REHABILITATIVE WORK-TRAINING  
PROGRAMS**

**CHAPTER 819**

H.B. No. 3685

**AN ACT**

**relating to the employment status of certain individuals engaged in rehabilitative work-training programs.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 201.067, Labor Code, is amended to read as follows:

**Sec. 201.067. REHABILITATIVE SERVICE; WORK RELIEF; EXCEPTION FOR SERVICES PERFORMED BY CERTAIN TRAINED [BLIND] INDIVIDUALS.** (a) In this subtitle, "employment" does not include service performed ~~by an individual who~~: